

Appin No. 10/643,884
Amdt. Dated September 02 2004
Response to Office action of June 02, 2004

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REMARKS/ARGUMENTS

In response to the Office Action mailed 2 June 2004, we advise that all claims withdrawn from consideration have now been cancelled. We also present the following remarks for consideration :

Claims 2 to 4 are current in the present application. Claims 2 to 4 have been rejected under 35 USC 103(a) as being unpatentable over Vajk et al. (US 5,265,033).

With respect, Applicant disagrees. Present claim 2 defines a card for operating a device. The card includes "*a visually encoded representation of said operation mode, said encoded representation being readable by said device and decodable by said device so as to cause the device to operate in said operation mode.*" That is, it is the encoding on the card that determines the mode in which the device operates.

Vajk describes a conventional ATM network having an unconventional email and messaging network built into it. The description of the operation of the network is provided in column 5 of Vajk. To commence operation, a user inserts a conventional debit or credit card (column 5, line 1). The user then goes through the conventional steps of providing a personal identification number to authorize the user to the network, in response to which the network goes through the conventional steps of providing the user with account information and access to account transactions (column 5, lines 4-19). As part of the authorization process, the user is authorized to access the email and messaging network (column 5, lines 19-22). The user performs email and messaging tasks as well as financial transaction tasks using the keyboard and/or function keys of the ATM terminal (column 5, lines 44-51). By inserting a conventional credit or debit card into the ATM terminal, the user is able to access all operation modes provided by the ATM terminal. If desired, the user then selects to access the email and messaging network. The operation mode of the ATM terminal is therefore determined by selections of the user, not by encoding on the card. Vajk does not teach or suggest different operation modes dependent on the card that is inserted into the terminal.

This is in contrast to the invention defined by claim 2 of the present application, in which the card is encoded in a manner that determines the operation mode of the device.

In light of this distinction, Applicant contends that claim 2 is patentably distinguished from the teachings of Vajk.

Claim 3 adds to claim 2 that the device is a camera, and that the visual representation relates to how an image is transformed by the encoded card. Vajk is wholly silent as to these features and therefore Applicant contends that claim 3 is further distinguished from Vajk.

Claim 4 has been rejected by combination of Vajk with Ross (US 5,465,213). Claim 4 adds the limitation that the card is encoded with portions of a book, and that the device is a book reader capable of displaying portions of the book encoded on the card. Neither Ross nor Vajk teach or suggest that the card is encoded with portions of a book. In Ross, portions of a book are stored in a database of a network and not on a card read by the display device. Ross teaches the user of a card reader (38 in the figures) for receiving a credit card payment relating to purchase of a book, however there is no suggestion that any book information is

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stored on the credit card, nor that the device 38 can display portions of a book read from a card inserted into the device 38. Accordingly, Applicant respectfully submits that claim 4 is patentably distinguished from the citations, either in isolation or in combination.

Applicant advises that all claims under consideration are jointly owned.

Applicant submits that this response is fully responsive to each of the issues raised in the Office Action. Applicant has provided detailed submissions that Applicant believes traverse the grounds of rejection. Accordingly, reconsideration of the application is respectfully requested.

Very respectfully,

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